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Attorney for Plaintiff

ORIGINAL **COPY**  
FILED

JUN 24 2009

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

E-filing

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ADR

JUDITH RUFFALO

Plaintiff,

vs.

CREDITORS FINANCIAL GROUP,  
LLC

Defendant.

) Case No.

)

) COMPLAINT FOR VIOLATION

) OF FEDERAL FAIR DEBT

) COLLECTION PRACTICES ACT,

) ROSENTHAL FAIR DEBT

) COLLECTION PRACTICES ACT,

) AND INVASION OF PRIVACY

)

)

009-02823

SC

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"), and the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code § 1788, *et seq.* (hereinafter "RFDCPA"), both of

1 which prohibit debt collectors from engaging in abusive, deceptive, and unfair  
2 practices. Ancillary to the claims above, Plaintiff further alleges claims for  
3 invasion of privacy arising from intrusion upon seclusion and public disclosure of  
4 private facts.  
5

## 6 7 **II. JURISDICTION**

8 2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).  
9

## 10 **III. PARTIES**

11 3. Plaintiff, Judith Ruffalo ("Plaintiff"), is a natural person, and is a  
12 "consumer" as defined by the FDCPA, 15 U.S.C. § 1692a(3) and is a "debtor" as  
13 defined by Cal Civ Code 1788.2(h).  
14

15 4. At all relevant times herein, Defendant, Creditors Financial Group,  
16 LLC, ("Defendant") was a company engaged, by use of the mails and telephone,  
17 in the business of collecting a debt from Plaintiff which qualifies as a "debt," as  
18 defined by 15 U.S.C. §1692a(5), and a "consumer debt," as defined by Cal Civ  
19 Code § 1788.2(f). Defendant regularly attempts to collect debts alleged to be due  
20 another, and therefore is a "debt collector" as defined by the FDCPA, 15 U.S.C. §  
21 1692a(6), and RFDCPA, Cal Civ Code § 1788.2(c).  
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#### IV. FACTUAL ALLEGATIONS

5. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt. Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways, including but not limited to:

a). Using, or threatening to use, physical force, violence or any criminal means to cause harm to the person, reputation or property of Plaintiff, including leaving a threatening voicemail for Plaintiff on or about May 2009. (Cal Civ Code § 1788.10(a));

b). Threatening that the failure by Plaintiff to pay Plaintiffs consumer debt will result in an accusation that Plaintiff had committed a crime, where such accusation is false leaving a threatening voicemail for Plaintiff on or about May 2009 implying that Plaintiff had committed a crime (Cal Civ Code § 1788.10(b));

c). Communicating, or threatening to communicate to a third party the fact that Plaintiff has engaged in conduct, other than the failure to pay a consumer debt, which Defendant knew or had reason to know would defame the debtor, including communicating said information to Plaintiff's son (Cal Civ Code § 1788.10(c));

1 d). Falsely representing the true nature of the business or services being  
2 rendered by Defendant, including implying that Defendant was involved in some  
3 law enforcement or governmental agency (Cal Civ Code § 1788.13(i));

4  
5 e). In connection with an attempt to collect an alleged debt from  
6 Plaintiff, contacting a third party for purposes other than obtaining location  
7 information (§ 1692b & § 1692c(b));

8  
9 f). In connection with an attempt to collect an alleged debt from  
10 Plaintiff, providing the identity of Defendant to a third party without such  
11 information being expressly requested (§ 1692b(1) & § 1692c(b));

12  
13 g). Disclosing to a third party the existence of the debt allegedly owed  
14 by Plaintiff, including disclosing the same to Plaintiff's son (§ 1692b(2) & §  
15 1692c(b));

16  
17 h). Engaging in conduct the natural consequence of which is to harass,  
18 oppress, or abuse Plaintiff, including, leaving Plaintiff a threatening voicemail in  
19 or about May of 2009. (§ 1692d));

20  
21 i). In connection with collection of a debt, using or threatening to use  
22 violence or other criminal means to harm the physical person, reputation, or  
23 property of Plaintiff (§ 1692d(1));

1 j). Threatening to take an action against Plaintiff that cannot be legally  
2 taken or that was not actually intended to be taken, including threatening Plaintiff  
3 with criminal legal action (§ 1692e(5));

5 k). Falsely representing that a legal proceeding has been, is about to be,  
6 or will be instituted unless payment of a consumer debt is made, including  
7 leaving said information in a phone message dated May, 2009 (Cal Civ Code §  
8 1788.13(j));

10 l). Falsely representing or implying that Plaintiff had committed a crime  
11 or other conduct, in order to disgrace Plaintiff (§ 1692e(7));

13 m). Using false representations and deceptive practices in connection  
14 with collection of an alleged debt from Plaintiff (§ 1692e(10));

16 n). Failing to notify Plaintiff during the initial communication with  
17 Plaintiff that the communication was an attempt to collect a debt and any  
18 information obtained would be used for that purpose, including failing to disclose  
19 the same in Defendant's May, 2009 voicemail (§ 1692e(11));

21 o). Failing to notify Plaintiff during each collection contact that the  
22 communication was from a debt collector (§ 1692e(11));

24 p). Using unfair or unconscionable means against Plaintiff in connection  
25 with an attempt to collect a debt (§ 1692f);

1 q). Failing to provide Plaintiff with the notices required by 15 USC §  
2 1692g, either in the initial communication with Plaintiff, or in writing within 5  
3 days thereof, (§ 1692g(a)).

4  
5 6. Defendant's aforementioned violations of the FDCPA and RFDCPA  
6 also constitute an intentional intrusion into Plaintiff's private places and into  
7 private matters of Plaintiff's life, conducted in a manner highly offensive to a  
8 reasonable person. Plaintiff had a subjective expectation of privacy that was  
9 objectively reasonable under the circumstances.

10  
11 7. Defendant's aforementioned disclosure of facts regarding Plaintiff's  
12 debt to third parties constitutes a public disclosure of a private fact not of  
13 legitimate public concern. Defendant's disclosures were highly offensive to a  
14 reasonable person.

15  
16 8. As a result of the above violations of the FDCPA, RFDCPA and  
17 invasion of privacy, Plaintiff suffered and continues to suffer injury to Plaintiff's  
18 feelings, personal humiliation, embarrassment, mental anguish and emotional  
19 distress, and Defendant is liable to Plaintiff for Plaintiff's actual damages,  
20 statutory damages, and costs and attorney's fees.

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**COUNT I: VIOLATION OF FAIR DEBT**  
**COLLECTION PRACTICES ACT**

9. Plaintiff reincorporates by reference all of the preceding paragraphs.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Statutory damages;
- D. Costs and reasonable attorney's fees; and,
- E. For such other and further relief as may be just and proper.

**COUNT II: VIOLATION OF ROSENTHAL  
FAIR DEBT COLLECTION PRACTICES ACT**

10. Plaintiff reincorporates by reference all of the preceding paragraphs.

11. To the extent that Defendant's actions, counted above, violated the RFDCPA, those actions were done knowingly and willfully

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the RFDCPA;
- B. Actual damages;
- C. Statutory damages for willful and negligent violations;

1 D. Costs and reasonable attorney's fees,

2 E. For such other and further relief as may be just and proper.

3 **COUNT III: COMMON LAW INVASION OF PRIVACY BY INTRUSION**

4 **AND INVASION OF PRIVACY BY PUBLICATION OF PRIVATE FACTS**

5 12. Plaintiff reincorporates by reference all of the preceding paragraphs.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Plaintiff respectfully prays that judgment be entered  
8 against the Defendant for the following:

9 A. Actual damages

10 B. Punitive Damages; and,

11 C. For such other and further relief as may be just and proper.

12 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

13 Respectfully submitted this 19th day of June, 2009.

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19  
20 By: s/Todd M. Friedman  
21 **TODD M. FRIEDMAN (216752)**  
22 **LAW OFFICES OF TODD M.**  
23 **FRIEDMAN, P.C.**  
24 **369 S. Doheny Dr. #415**  
25 **Beverly Hills, CA 90211**  
26 **Phone: 877 206-4741**  
27 **Fax: 866 623-0228**  
28 **tfriedman@attorneysforconsumers.com**  
**Attorney for Plaintiff**



JS 44 (Rev. 12/07) (cand rev 1-16-08)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

**I. (a) PLAINTIFFS**

JUDITH RUFFALO

**DEFENDANTS**

CREDITORS FINANCIAL GROUP, LLC

(b) County of Residence of First Listed Plaintiff Alameda  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Todd M. Friedman, Law Offices of Todd M. Friedman, P.C.  
369 S. Doheny Dr. #415  
Beverly Hills, CA 90211  
Phone: 877 206-4741

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ PTF 1 ☐ DEF 1 Incorporated or Principal Place of Business In This State ☐ PTF 4 ☐ DEF 4  
Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☐ 5  
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

| CONTRACT  | TORTS  |   | FORFEITURE/PENALTY   | BANKRUPTCY   | OTHER STATUTES   |
|---|--|---|--|--|--|
| <input type="checkbox"/> 110 Insurance  | <input type="checkbox"/> 310 Airplane                        | <input type="checkbox"/> 362 Personal Injury—Med. Malpractice           | <input type="checkbox"/> 610 Agriculture                                 | <input type="checkbox"/> 422 Appeal 28 USC 158                   | <input type="checkbox"/> 400 State Reapportionment                                     |
| <input type="checkbox"/> 120 Marine   | <input type="checkbox"/> 315 Airplane Product Liability      | <input type="checkbox"/> 365 Personal Injury—Product Liability          | <input type="checkbox"/> 620 Other Food & Drug                           | <input type="checkbox"/> 423 Withdrawal 28 USC 157               | <input type="checkbox"/> 410 Antitrust   |
| <input type="checkbox"/> 130 Miller Act   | <input type="checkbox"/> 320 Assault, Libel & Slander        | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <b>PROPERTY RIGHTS</b>   | <input type="checkbox"/> 430 Banks and Banking   |
| <input type="checkbox"/> 140 Negotiable Instrument                                | <input type="checkbox"/> 330 Federal Employers' Liability    | <b>PERSONAL PROPERTY</b>  | <input type="checkbox"/> 630 Liquor Laws                                 | <input type="checkbox"/> 820 Copyrights                          | <input type="checkbox"/> 450 Commerce  |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment    | <input type="checkbox"/> 340 Marine                          | <input type="checkbox"/> 370 Other Fraud                                | <input type="checkbox"/> 640 R.R. & Truck                                | <input type="checkbox"/> 830 Patent                              | <input type="checkbox"/> 460 Deportation   |
| <input type="checkbox"/> 151 Medicare Act   | <input type="checkbox"/> 345 Marine Product Liability        | <input type="checkbox"/> 371 Truth in Lending                           | <input type="checkbox"/> 650 Airline Regs.                               | <input type="checkbox"/> 840 Trademark                           | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations            |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) | <input type="checkbox"/> 350 Motor Vehicle                   | <input type="checkbox"/> 380 Other Personal Property Damage             | <input type="checkbox"/> 660 Occupational Safety/Health                  | <b>SOCIAL SECURITY</b>   | <input type="checkbox"/> 480 Consumer Credit   |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits        | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 385 Property Damage Product Liability          | <input type="checkbox"/> 690 Other                                       | <input type="checkbox"/> 861 HIA (1395ff)                        | <input type="checkbox"/> 490 Cable/Sat TV  |
| <input type="checkbox"/> 160 Stockholders' Suits                                  | <input type="checkbox"/> 360 Other Personal Injury           | <b>PRISONER PETITIONS</b>   | <b>LABOR</b>   | <input type="checkbox"/> 862 Black Lung (923)                    | <input type="checkbox"/> 810 Selective Service   |
| <input type="checkbox"/> 190 Other Contract                                       |  | <input type="checkbox"/> 510 Motions to Vacate Sentence                 | <input type="checkbox"/> 710 Fair Labor Standards Act                    | <input type="checkbox"/> 863 DIWC/DIWW (405(g))                  | <input type="checkbox"/> 850 Securities/Commodities/Exchange                           |
| <input type="checkbox"/> 195 Contract Product Liability                           |  | <b>Habeas Corpus:</b>   | <input type="checkbox"/> 720 Labor/Mgmt. Relations & Disclosure Act      | <input type="checkbox"/> 864 SSID Title XVI                      | <input type="checkbox"/> 875 Customer Challenge 12 USC 3410                            |
| <input type="checkbox"/> 196 Franchise  |  | <input type="checkbox"/> 530 General                                    | <input type="checkbox"/> 740 Railway Labor Act                           | <input type="checkbox"/> 865 RSI (405(g))                        | <input checked="" type="checkbox"/> 890 Other Statutory Actions                        |
| <b>REAL PROPERTY</b>  | <b>CIVIL RIGHTS</b>  | <input type="checkbox"/> 535 Death Penalty                              | <input type="checkbox"/> 790 Other Labor Litigation                      | <b>FEDERAL TAX SUITS</b>   | <input type="checkbox"/> 891 Agricultural Acts   |
| <input type="checkbox"/> 210 Land Condemnation                                    | <input type="checkbox"/> 441 Voting                          | <input type="checkbox"/> 540 Mandamus & Other                           | <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act                | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 892 Economic Stabilization Act                                |
| <input type="checkbox"/> 220 Foreclosure  | <input type="checkbox"/> 442 Employment                      | <input type="checkbox"/> 550 Civil Rights                               | <b>IMMIGRATION</b>   | <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609         | <input type="checkbox"/> 893 Environmental Matters                                     |
| <input type="checkbox"/> 230 Rent Lease & Ejectment                               | <input type="checkbox"/> 443 Housing/Accommodations          | <input type="checkbox"/> 555 Prison Condition                           | <input type="checkbox"/> 462 Naturalization Application                  |  | <input type="checkbox"/> 894 Energy Allocation Act                                     |
| <input type="checkbox"/> 240 Torts to Land  | <input type="checkbox"/> 444 Welfare                         |   | <input type="checkbox"/> 463 Habeas Corpus—Alien Detainee                |  | <input type="checkbox"/> 895 Freedom of Information Act                                |
| <input type="checkbox"/> 245 Tort Product Liability                               | <input type="checkbox"/> 445 Amer. w/Disabilities—Employment |   | <input type="checkbox"/> 465 Other Immigration Actions                   |  | <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice |
| <input type="checkbox"/> 290 All Other Real Property                              | <input type="checkbox"/> 446 Amer. w/Disabilities—Other      |   |  |  | <input type="checkbox"/> 950 Constitutionality of State Statutes                       |
|   | <input type="checkbox"/> 440 Other Civil Rights              |   |  |  |  |

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC 1692

Brief description of cause:

Violation of the Fair Debt Collection Practice Act

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$**

CHECK YES only if demanded in complaint.

**JURY DEMAND:** ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE".

**IX. JUDICIAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY)**

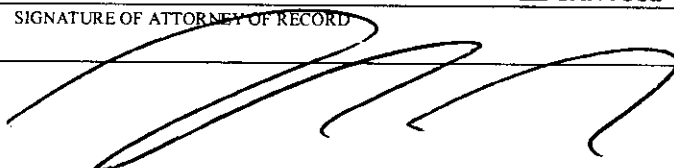
☒ SAN FRANCISCO/OAKLAND

☐ SAN JOSE

DATE

SIGNATURE OF ATTORNEY OF RECORD

6/19/09



## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553

Brief Description: Unauthorized reception of cable service

**VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

AO 440 (Rev. 02/09) Summons in a Civil Action

 **COPY**

**UNITED STATES DISTRICT COURT**

for the

Northern District of California

**E-filing**

JUDITH RUFFALO

*Plaintiff*

v.

CREDITORS FINANCIAL GROUP, LLC

*Defendant*

Civil Action No.

**009-02823 SC**

**ADR**

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* CREDITORS FINANCIAL GROUP, LLC  
c/o C T CORPORATION SYSTEM  
3131 S. VAUGHN WAY STE 100  
AURORA, CO 80014

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: Todd M. Friedman  
Law Offices of Todd M. Friedman, P.C.  
369 S. Doheny Dr. #415  
Beverly Hills, CA 90211

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

**CLARA PIERCE**

**JUN 24 2009**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 02/09) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: